

**UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT**

Twin Falls District
Burley Field Office
15 East 200 South
Burley, ID 83318

Decision Record and Finding of No Significant Impact

**Walker Hollow Juniper Treatment
NEPA No. ID-220-2008-EA-275**

DECISION RECORD:

I have decided to implement the proposed action described in the Environmental Assessment (EA) for the Walker Hollow Juniper Treatment project. My decision will allow the hand-cutting of Utah Juniper encroaching into sage grouse occupied sagebrush steppe habitats in the project area located in the Walker Hollow area of the Burley Field Office. The EA (p. 5) includes a more complete description of the proposed action. I have decided to implement the proposed action because it is important to maintain the key sage grouse habitat which would eventually be lost if this project is not implemented and if no fires occur. Implementation of the proposed action, including monitoring to avoid disturbance or mortality to nesting migratory birds, leaving areas with juniper for other food, nest substrate and cover for other wildlife species, restricting vehicles to existing roads and trails and invasive species monitoring will minimize the potential impacts to the environment identified in the EA.

A pre-decisional EA and this draft Finding of No Significant Impact (FONSI) describing the proposed action was made available for public comments in June/July 2008.

The EA (p. 4) discloses that the proposed action conforms to the Cassia Resource Management Plan. The proposed action is also consistent with pertinent laws such as the Endangered Species Act, the Migratory Bird Treaty Act, and the Federal Land Policy and Management Act.

This action has been analyzed and it would not have any significant impacts. I have included a FONSI as part of my decision.

My decision may be appealed to the Interior Board of Land Appeals (IBLA), Office of the Secretary, in accordance with the regulations contained in 43 CFR Part 4. Public notification of this decision will be considered to have occurred on August 12, 2008. Any appeal must be filed within 30 days of this decision. Any notice of appeal must be filed with the Burley Field Office Manager, 15 East 200 South, Burley, ID 83318. If a statement of reasons for the appeal is not included with the notice, it must be filed with

the IBLA, Office of Hearings and Appeals, U.S. Department of the Interior, 801 North Quincy St., Suite 300, Arlington, VA 22203 within 30 days after the notice of appeal is filed with the Burley Field Office Manager.

If you wish to file a petition for stay pursuant to 43 CFR Part 4.21(b), the petition for stay should accompany your notice of appeal and shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied,
- (2) The likelihood of the appellant's success on the merits,
- (3) The likelihood of irreparable harm to the appellant or resources if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

If a petition for stay is submitted with the notice of appeal, a copy of the notice of appeal and petition for stay must be served on each party named in the decision from which the appeal is taken, and with the IBLA at the same time it is filed with the authorized officer.

A copy of the notice of appeal, any petition for stay, any statement of reasons, and all pertinent documents must be served on each party named in the decision from which the appeal is taken and on the Office of the Regional Solicitor, U.S. Department of the Interior, 6201 Federal Building, 125 South State Street, Salt Lake City, Utah 84138-1180, not later than 15 days after filing the document with the authorized officer and/or IBLA.

FINDING OF NO SIGNIFICANT IMPACT:

I have determined that the proposed action, as described in the EA will not have any significant impact, individually or cumulatively, on the quality of the human environment. Because there would not be any significant impact, an environmental impact statement is not required.

In making this determination, I considered the following factors:

1. The activities described in the proposed action do not include any significant beneficial or adverse impacts (40 CFR 1508.27(b)(1)). The EA includes a description of the expected environmental consequences of juniper hand-cutting.
2. The activities included in the proposed action would not significantly affect public health or safety (40 CFR 1508.27(b)(2)). Trees will be cut by hand to the ground and scattered so there would be no potential trees to fall on individuals.
3. The proposed activities would not significantly affect any unique characteristics (40 CFR 1508.27(b)(3)) of the geographic area such as prime and unique farmlands, caves, wild and scenic rivers, designated wilderness areas, wilderness study areas, or areas of critical concern. None of these unique characteristics occur in or near the areas where the juniper would be treated.

4. The activities described in the proposed action do not involve effects on the human environment that are likely to be highly controversial (40 CFR 1508.27(b)(4)). Hand-cutting juniper is not uncommon and the effects are well understood and are described in the EA.
5. The activities described in the proposed action do not involve effects that are highly uncertain or involve unique or unknown risks (40 CFR 1508.27(b)(5)).
6. My decision to implement these activities does not establish a precedent for future actions with significant effects or represent a decision in principle about a future consideration (40 CFR 1508.27(b)(6)).
7. The effects of juniper treatment would not be significant, individually or cumulatively, when considered with the effects of other actions (40 CFR 1508.27(b)(7)). The EA discloses that there are no other connected or cumulative actions that would cause significant cumulative impacts. Juniper is prevalent in the area and the scale of this project in addition to other similar projects is not significant enough to affect this resource.
8. I have determined that the activities described in the proposed action will not adversely affect or cause loss or destruction of scientific, cultural, or historical resources, including those listed in or eligible for listing in the National Register of Historic Places (40 CFR 1508.27(b)(8)). There are no known cultural resource sites that would be affected by hand-cutting juniper.
9. The proposed activities are not likely to adversely affect any endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act (40 CFR 1508.27(b)(9)). There are no known populations or designated critical habitat in the project area. The proposed activities would have no effect on threatened or endangered species or designated critical habitat.
10. The proposed activities will not threaten any violation of Federal, State, or local law or requirements imposed for the protection of the environment (40 CFR 1508.27(b)(10)).

APPROVED:

/s/ Michael Courtney

12 August 2008

Michael Courtney
Field Manager
Burley Field Office

Date